REMARKS

This is a full and timely response to the outstanding non-final Office Action mailed June 29, 2005. Through this response, claim 8 has been amended to address the claim objection noted on page 2 of the Office Action, and not for purposes of patentability. Reconsideration and allowance of the application and pending claims 1-19 are respectfully requested.

I.   Claim Objections

The Office Action objects to claim 8. Applicant has amended claim 8 in a manner as required by the Examiner. In view of the above-noted claim amendment, Applicant respectfully submits that the claim is not objectionable and respectfully requests that the objection be withdrawn.

II.   Claim Rejections - 35 U.S.C. § 102(b)

A.   Statement of the Rejection

Claims 1-9 have been rejected under 35 U.S.C. § 102(b) as allegedly anticipated by "XSL Transformation (XSLT) Version 1.0," W3C recommendation, 16 November 1999 (herein, *XSLT reference*). Applicant respectfully traverses this rejection.

B.   Discussion of the Rejection

It is axiomatic that "[a]nticipation requires the disclosure in a single prior art reference of each element of the claim under consideration." *W. L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 1554, 220 USPQ 303, 313 (Fed. Cir. 1983). Therefore, every claimed feature of the claimed invention must be represented in the applied reference to constitute a proper rejection under 35 U.S.C. § 102(b).

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In the present case, not every feature of the claimed invention is represented in the *XSLT reference*.

Independent Claim 1

Claim 1 recites (with emphasis added):

1.   A transformation method, comprising:

providing a transformation processor;

providing a prototype transform and an interpretive transform; and

transforming at least one source document into an output document

with the transformation processor ***by interpreting, using the transformation***

processor, a number of interpreted instructions in the prototype transform with

a number of interpretive instructions from the interpretive transform.

Applicant respectfully submits that the *XSLT reference* does not disclose at least the emphasized claim features. The *XSLT reference* describes templates that are known to those having ordinary skill in XSL technology to be triggered by markup in a source document. The Office Action appears to equate markup to source patterns and the matching of these source code patterns to the prototype transform. The source code pattern is not equivalent to the instructions of the prototype transform. In one embodiment, the templates can eventually reach into the source document to extract and format data to be placed in the output, but after the templates are applied to the instructions provided by the prototype transform. Since the *XSLT reference* does not disclose at least the emphasized features, Applicant respectfully submits that the rejection to claim 1 should be withdrawn and that claim 1 is allowable over the *XSLT reference*.

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Because independent claim 1 is allowable, dependent claims 2-9 are allowable as a matter of law for at least the reason that the dependent claims 2-9 contain all elements of their base claim. See, e.g., *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988).

III.   Claim Rejections - 35 U.S.C. § 103(a)

A.   Statement of the Rejection

Claims 10-19 have been rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over the *XSLT reference* in view of *U.S. Patent Application Publication No. US 2002/0143823* to *Stevens* (herein, *Stevens*). Applicant respectfully traverses this rejection.

B.   Discussion of the Rejection

As has been acknowledged by the Court of Appeals for the Federal Circuit, the U.S. Patent and Trademark Office ("USPTO") has the burden under section 103 to establish a *prima facie* case of obviousness by showing some objective teaching in the prior art or generally available knowledge of one of ordinary skill in the art that would lead that individual to the claimed invention. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596, 1598 (Fed. Cir. 1988). The Manual of Patent Examining Procedure (MPEP) section 2143 discusses the requirements of a *prima facie* case for obviousness. That section provides as follows:

> To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teaching. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and reasonable expectation of success must be found in the prior art, and not based on applicant's disclosure.

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In the present case, it is respectfully submitted that a *prima facie* case of obviousness has not been shown.

Independent Claim 10

Claim 10 recites (with emphasis added):

10.   A computer program embodied in a computer readable medium to perform a transformation, comprising:
>   an interpretive transform;
>   *a prototype transform* to be interpreted using the interpretive transform;
>   at least one source document associated with the prototype transform;
>   a transformation processor; and
>   *code that initiates a transformation of the at least one source document into an output document with the transformation processor, the transformation processor interpreting a number of interpreted instructions in the prototype transform with a number of interpretive instructions from the interpretive transform.*

Applicant respectfully submits that the *XSLT reference* in view of *Stevens* fails to disclose, teach, or suggest at least the emphasized claim features. For similar reasons described above, the *XSLT reference* fails to disclose at least the emphasized claim features. *Stevens* does not remedy these deficiencies. Thus, Applicant respectfully submits that independent claim 10 is allowable over the combined art of record and respectfully requests that the rejection to independent claim 10 be withdrawn.

Because independent claim 10 is allowable, dependent claims 11-13 are allowable as a matter of law.

Independent Claim 14

Claim 14 recites (with emphasis added):

14.   A transformation system, comprising:
>   a processor circuit having a processor and a memory; and
>   transformation logic stored in the memory and executable by the processor, the transformation logic comprising:
>>   an interpretive transform;
>>   *a prototype transform* to be interpreted using the interpretive transform;
>>   a transformation processor; and

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logic that initiates a transformation of at least one source document into an output document with the transformation processor, *the transformation processor interpreting a number of interpreted instructions in the prototype transform with a number of interpretive instructions from the interpretive transform, wherein an association is drawn between the at least one source document and the prototype transform.*

Applicant respectfully submits that the *XSLT reference* in view of *Stevens* fails to disclose, teach, or suggest at least the emphasized claim features. For similar reasons described above, the *XSLT reference* fails to disclose at least the emphasized claim features. *Stevens* does not remedy these deficiencies.   Thus, Applicant respectfully submits that independent claim 14 is allowable over the combined art of record and respectfully requests that the rejection to independent claim 14 be withdrawn.

Because independent claim 14 is allowable, dependent claims 15-17 are allowable as a matter of law.

Independent Claim 18

Claim 18 recites (with emphasis added):

18.   A transformation system, comprising:
       means for providing a number of interpreted instructions, the interpreted instructions being transformation specific;
       means for providing a number of interpretive instructions, the interpretive instructions being transformation generic; and
       means for transforming at least one source document into an output document by interpreting the interpreted instructions with the interpretive instructions with reference to the at least one source document.

Applicant respectfully submits that the *XSLT reference* in view of *Stevens* fails to disclose, teach, or suggest at least the emphasized claim features. For similar reasons described above, the *XSLT reference* fails to disclose at least the emphasized claim features. *Stevens* does not remedy these deficiencies.   Thus, Applicant respectfully submits that independent claim 18 is allowable over the combined art of record and respectfully requests that the rejection to independent claim 18 be withdrawn.

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Because independent claim 18 is allowable, dependent claim 19 is allowable as a matter of law.

In summary, it is Applicant's position that a *prima facie* for obviousness has not been made against Applicant's claims. Therefore, it is respectfully submitted that each of these claims is patentable over the cited references and that the rejection of these claims should be withdrawn.
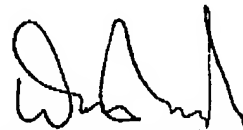
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CONCLUSION

Applicant respectfully submits that Applicant's pending claims are in condition for allowance. Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Furthermore, any and all findings of well-known art and official notice, and similarly interpreted statements, should not be considered well known since the Office Action does not include specific factual findings predicated on sound technical and scientific reasoning to support such conclusions. Favorable re-consideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,

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